

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

KARIM ISSAC,

Plaintiff,

Case. No. 19-10124

v.

Honorable Thomas L. Ludington
Magistrate Judge Patricia T. Morris

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING REPORT & RECOMMENDATION, GRANTING DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT, DENYING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT, AND AFFIRMING THE DECISION OF THE
COMMISSIONER**

Plaintiff applied for Disability Insurance Benefits ("DIB") and Supplemental Security Income ("SSI") on August 28, 2015, alleging he became disabled on August 10, 2015. (ECF No. 8, PageID.381, 388.) The Commissioner denied the claims. (*Id.*, PageID.199-200.) Plaintiff then requested a hearing before an administrative law judge (ALJ), which occurred August 7, 2017. (*Id.*, PageID.129-165.) The ALJ issued a decision on September 25, 2017, finding that Plaintiff was not disabled because he could complete his past relevant work as an interpreter; therefore, he was not entitled to DIB or SSI. (*Id.*, PageID.204-212.) On March 22, 2018, the Appeals Council vacated the ALJ's decision and remanded the case to the ALJ for reconsideration after obtaining new evidence regarding Plaintiff's past relevant work and Plaintiff's transferable skills. (*Id.*, PageID.220-221.) On remand, the ALJ held another hearing, (*id.*, PageID.88-126), after which he issued a decision on July 12, 2018, again finding that Plaintiff was not disabled because he could complete his past relevant work as an interpreter; therefore, he was not entitled to DIB or SSI. (*Id.*, PageID.70-80.) This time, the Appeals Council denied review. (*Id.*, PageID.32-35.) Plaintiff then

sought judicial review on January 14, 2019. (ECF No. 1.) The parties have filed cross-motions for summary judgment and briefing is complete. (ECF Nos. 11, 13.)

The matter was referred to Magistrate Judge Patricia Morris. ECF No. 5. The parties filed cross motions for summary judgment. ECF Nos. 11, 13. On November 27, 2019, Judge Morris issued her report, recommending that Defendant's motion for summary judgment be granted, that Plaintiff's motion for summary judgment be denied, and that the decision of the commissioner be affirmed. ECF No. 14.

Although the magistrate judge's report states that the parties to this action could object to and seek review of the recommendation within fourteen days of service of the report, neither party timely filed any objections. The election not to file objections to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The failure to file objections to the report and recommendation waives any further right to appeal. *Id.*

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation, ECF No. 14, is **ADOPTED**.

It is further **ORDERED** that Defendant's Motion for Summary Judgment, ECF No. 13, is **GRANTED**.

It is further **ORDERED** that Plaintiff's Motion for Summary Judgment, ECF No. 11, is **DENIED**.

It is further **ORDERED** that the findings of the Commissioner are **AFFIRMED**.

Dated: December 27, 2019

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge